REMARKS

Reconsideration of the above-identified patent application in view of the amendment above and the remarks below is respectfully requested.

Claims 10 and 31 have been canceled in this paper without prejudice or disclaimer of the subject matter thereof. Claims 1, 11, 26 and 29 have been amended in this paper. No new claims have been added in this paper. Therefore, claims 1-9, 11-30 and 32-54 are pending and are under active consideration.

Claims 34-43 and 49-54 have been allowed.

Claims 1-4, 8, 10-12, 15, 29-30, 32-33 and 44 stand rejected under 35 U.S.C. 102(b) "as being anticipated by Grabau et al. (US Patent No. 6,451,154)."

Insofar as the subject rejection relates to claim 10, the rejection is moot in view of Applicants' cancellation herein of claim 10. Insofar as the subject rejection relates to claims 1-4, 8, 11-12, 15, 29-30, 32-33 and 44, Applicants respectfully traverse the rejection.

Claim 1, from which claims 2-4 and 8 depend, has been amended herein to include, amongst other things, the limitations of canceled claim 10. As a result, claim 10 now recites "[a] tag comprising: (a) an inlay, said inlay comprising (i) an antenna, and (ii) a wireless communication device coupled to said antenna; and (b) a plastic extrudate, said plastic extrudate being a unitary member, with said antenna and said wireless communication device being embedded within said plastic extrudate."

Claim 1, as amended, is neither anticipated by nor rendered obvious over Grabau et al. for at least the reason that Grabau et al. does not teach or suggest a tag comprising, amongst other things, a unitary plastic extrudate within which an antenna and a wireless communication device are

embedded. Instead, the front page figure of Grabau et al., upon which the Patent Office relies, discloses a tag in which an inlet 15 is sandwiched between a paper web 12 and a pressure sensitive adhesive 48.

Claim 11 has been amended herein and now recites "[a] tag comprising: (a) an inlay, said inlay comprising (i) a carrier sheet, (ii) an antenna disposed on the carrier sheet, and (iii) a wireless communication device coupled to said antenna; (b) a top plastic extrudate member; and (c) a bottom plastic extrudate member, wherein said top plastic extrudate member and said bottom plastic extrudate member cooperatively encapsulate said antenna and said wireless communication device."

Claim 11, as amended, is neither anticipated by nor rendered obvious over Grabau et al. for at least the reason that Grabau et al. does not teach or suggest a tag that comprises, amongst other things, (i) an inlay that includes a carrier sheet, an antenna on the carrier, and a wireless communication device coupled to the antenna, (ii) a top plastic extrudate member, and (iii) a bottom plastic extrudate member, wherein the top and bottom plastic extrudate members cooperatively encapsulate the antenna and the wireless communication device. The Patent Office again relies on the front page figure of Grabau et al. to allege that claim 11 is anticipated; however, Applicants note that web 12 is a paper web, not a plastic extrudate member.

Claim 12, from which claim 15 depends, is neither anticipated by nor rendered obvious over Grabau et al. for at least the reason that Grabau et al. does not teach or suggest a method that includes, amongst other things, the step of feeding a continuous supply of inlays into a cross-head extruder to yield a continuous block which includes said continuous supply of inlays surrounded by a plastic extrudate.

Claim 29, from which claims 30, 32 and 33 depend, has been amended herein to recite the limitations of canceled claim 31 and now recites "[a] continuous supply of inlays comprising: (a) a continuous web, wherein said continuous web is constructed of a polymeric film selected from the group consisting of a polyester film, a polyethylene terephthalate film and a polyimide film, (b) a plurality of antennae disposed on the top surface of said continuous web at spaced intervals, and (c) a plurality of wireless communication devices, each wireless communication device being coupled to a corresponding antenna."

Claim 29, as amended, is neither anticipated by nor rendered obvious over Grabau et al. for at least the reason that Grabau et al. does not teach or suggest a continuous supply of inlays that comprises, amongst other things, a plurality of antennae and a plurality of wireless communications devices that are disposed on a web of the type recited. The Patent Office has failed to provide any teaching or suggestion to use these types of materials as a web for an inlay.

Claim 44 is neither anticipated by nor rendered obvious over Grabau et al. for at least the reason that Grabau et al. does not teach or suggest a method of continuously manufacturing a plurality of tags that comprises, amongst other things, depositing an inlay with each cavity of a single continuous strip having a plurality of cavities, wherein each inlay comprises a carrier sheet, an antenna disposed on said carrier sheet and a wireless communication device coupled to said antenna. The Patent Office, in discussing claim 44 in the present rejection, alleges that Grabau et al. discloses "depositing an inlay 15 within each cavity, the inlay comprising a carrier web 12, an antenna disposed in the carrier web 12, and a wireless communication device coupled to the antennae 15B." However, Applicants respectfully submit that the Patent Office is in error insofar as the Patent Office asserts that the Grabau inlay 15 includes carrier web 12 since it is clear from Grabau et al. that inlay

15 and carrier web 12 are two distinct structures (see col. 3, lines 53-56 of Grabau et al. "[i]n the method of Fig. 1, a roll 11 of paper 12 having RFID conventional inlets 15 thereon is provided as a first web. As seen in FIG. 3, each conventional inlet 15 comprises a conventional chip 15A and a conventional antenna 15B.") Consequently, in view of the above, Applicants respectfully submit that the Patent Office is in error to assert that Grabau inlet 15 includes paper 12 and to contend that depositing an inlet 15 into one of the Grabau cavities also involves depositing paper 12.

Accordingly, for at least the above reasons, the subject rejection should be withdrawn.

Claims 5-7, 9, 13-14, 16-25, 27-28, 31 and 45-48 stand rejected under 35 U.S.C. 103(a) "as being unpatentable over Grabau et al. (US Patent No. 6,451,154)."

Insofar as the subject rejection relates to claim 31, the rejection is moot in view of Applicants' cancellation herein of claim 31. Insofar as the subject rejection relates to claims 5-7, 9, 13-14, 16-25, 27-28 and 45-48, Applicants respectfully traverse the rejection.

Claims 5-7 and 9 depend from claim 1. Claim 1 is patentable over Grabau et al. for at least the reasons given above. Therefore, based at least on their respective dependencies from claim 1, claims 5-7 and 9 are patentable over Grabau et al.

Claims 13 and 14 depend from claim 12. Claim 12 is patentable over Grabau et al. for at least the reasons given above. Therefore, based at least on their respective dependencies from claim 12, claims 13 and 14 are patentable over Grabau et al.

Claim 16, from which claims 17-25 and 27-28 depend, recites "[a] tag comprising: (a) a plastic casing comprising (i) a bottom member shaped to define a longitudinal cavity, and (ii) a top member applied to said bottom member to at least partially enclose the longitudinal cavity, and (b) an inlay disposed within the longitudinal cavity, said inlay comprising, (i) a carrier sheet, (ii) an

antenna disposed on said carrier sheet, and (iii) a wireless communication device coupled to said antenna."

Claim 16 is patentable over Grabau et al. for at least the reason that Grabau et al. does not teach or suggest the claimed tag. In particular, Applicants refer to the comments above in connection with the rejection of claim 44 under 102(b).

Claims 45-48 depend from claim 44. Claim 44 is patentable over Grabau et al. for at least the reasons given above. Therefore, based at least on their respective dependencies from claim 44, claims 45-48 are patentable over Grabau et al.

Accordingly, for at least the above reasons, the subject rejection should be withdrawn.

Claim 26 stands objected to "as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims."

Without acquiescing in the propriety of the objection, Applicants have rewritten claim 26 in independent form. Accordingly, the objection has been overcome and should be withdrawn.

In conclusion, it is respectfully submitted that the present application is now in condition for allowance. Prompt and favorable action is earnestly solicited.

If there are any fees due in connection with the filing of this paper that are not accounted for, the Examiner is authorized to charge the fees to our Deposit Account No. 11-1755. If a fee is

required for an extension of time under 37 C.F.R. 1.136 that is not accounted for already, such an extension of time is requested and the fee should also be charged to our Deposit Account.

Respectfully submitted,

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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on July 10, 2007.

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